

Message Text

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FM SECSTATE WASHDC
TO USDEL SECRETARY IMMEDIATE

S E C R E T STATE 293831 TOSEC 310438

NODIS

E.O. 11652:GDS

TAGS: PFOR, UN, XF, IS

SUBJECT: ACTION MEMORANDUM: UNGA RESOLUTIONS ON
QUNEITRA AND ON THE OCCUPIED TERRITORIES (S/S NO.7624844)

REFS: A)TOSEC 310279; B)SECTO 31046; C)TOSEC 310350;
D)SECTO 31038

FOR THE SECRETARY FROM NEA-ATHERTON AND IO-LEWIS THROUGH
P - HABIB

1. PROBLEM:

YOU ASKED (SECTO 31046) WHY IN THE FACE OF AN EXPLICIT
ISRAELI REQUEST WE SHOULD STILL ABSTAIN ON THE
QUNEITRA RESOLUTION. THIS EVENING, IN A FURTHER
DEVELOPMENT, DINITZ URGED THAT WE VOTE AGAINST THE
RESOLUTION ON OCCUPIED TERRITORIES, SAYING HE EXPECTED

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TO HAVE INSTRUCTIONS TO THIS EFFECT SHORTLY. THIS

MEMORANDUM RE-SUBMITS THE OPTIONS FOR YOUR REVIEW,
TOGETHER WITH A DRAFT STATEMENT IN EXPLANATION OF VOTE.
THE VOTE MAY TAKE PLACE BEFORE NOON ON THURSDAY,
DECEMBER 2.

2. BACKGROUND/ANALYSIS:

THE ISRAELIS NOW HAVE MADE THREE APPROACHES TO US
ON THE TWO CONTROVERSIAL RESOLUTIONS BEFORE THE
GENERAL ASSEMBLY (TEXTS IN REF A):

--THE ISRAELI COUNSELOR CALLED IO AT A WORKING
LEVEL ON NOVEMBER 30 TO ASK THE U.S. TO VOTE AGAINST
THE UNGA RESOLUTION ON QUNEITRA (TOSEC 310350).
BASED UPON YOUR EARLIER APPROVAL OF AN ABSTENTION
(SECTO 31038), THE ISRAELIS IN NEW YORK ARE NOW AWARE
OF THAT POSITION. THEIR DCM IN NEW YORK AGAIN ASKED
US TO VOTE NO.

--ON THE OCCUPIED TERRITORIES RESOLUTION, BAR-ON
CALLED SAM LEWIS DECEMBER 1 TO SAY THAT THE ISRAELI
UN DELEGATION UNDERSTANDS THAT THE NINE WILL ABSTAIN
IF WE VOTE NO, BUT WILL VOTE IN FAVOR OF THE
RESOLUTION IF WE ABSTAIN.

--DINITZ CALLED ROY ATHERTON THIS EVENING TO ARGUE
STRONGLY FOR A NEGATIVE VOTE ON THE OCCUPIED
TERRITORIES RESOLUTION. (HE SAID THE ISRAELIS
WOULD PREFER A NO VOTE ON THE QUNEITRA RESOLUTION BUT
DID NOT MAKE AN ISSUE OF THIS). HE SAID HE EXPECTED
INSTRUCTIONS SHORTLY FROM JERUSALEM ON THE OCCUPIED
TERRITORIES RESOLUTION ALONG THE SAME LINES. HE MADE
TWO MAIN SPECIFIC ARGUEMENTS:

--THIS IS A RESOLUTION, NOT A CONSENSUS.

--THE RESOLUTION HAS THE WORD "RESCIND".

HIS PRINCIPAL POINT HOWEVER, WAS THAT IF WE VOTED
AGAINST THE RESOLUTION IT WOULD HELP CLEAR UP THE
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"UNNECESSARY MISUNDERSTANDINGS" RESULTING FROM THE
CONSENSUS STATEMENT.

USUN REPORTS THAT THE SITUATION WITH THE NINE IS
NOT CLEAR-CUT. MOST, IF NOT ALL, ARE NOW INCLINED
TO VOTE YES ON OCCUPIED TERRITORIES. SOME, HOWEVER,
WOULD PROBABLY ABSTAIN IF WE VOTED NO.

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3. OPTIONS:

A. WE COULD ABSTAIN ON BOTH RESOLUTIONS. OUR READING OF THE ISRAELI APPROACHES THUS FAR IS THAT OUR ABSTENTION ON THE QUNEITRA RESOLUTION WOULD NOT CAUSE A BLOW-UP BUT THAT OUR FAILURE TO OPPOSE THE OCCUPIED TERRITORIES RESOLUTION WOULD BE LINKED TO THE SECURITY COUNCIL CONSENSUS AND WOULD BE REGARDED SERIOUSLY BY ISRAEL. THEY OBVIOUSLY RECOGNIZE THAT WE HAVE ABSTAINED ON TWO PREVIOUS GENERAL ASSEMBLY RESOLUTIONS ON QUNEITRA BECAUSE ISRAELI RESPONSIBILITY FOR THE DESTRUCTION OF THE TOWN IS WELL DOCUMENTED. MOREOVER, IN OUR EXPLANATION OF VOTE, WE CAN TAKE EXCEPTION TO THE RESOLUTION'S PROVISIONS ON COMPENSATION AND THUS MEET ONE OF ISRAEL'S MAIN CONCERNS. IF WE WERE TO VOTE NO ON THE OCCUPIED TERRITORIES RESOLUTION, HOWEVER, THE ARABS IN TURN WOULD HAVE CAUSE TO CONCLUDE THAT WE HAVE CHANGED OUR POSITION ON ISRAELI SETTLEMENT POLICY BY VOTING AGAINST A RESOLUTION WHICH, EXCEPT IN A SINGLE RESPECT, HAS BEEN ACCEPTABLE TO US IN THE PAST.

B. WE COULD VOTE AGAINST THE RESOLUTION ON OCCUPIED TERRITORIES AND ABSTAIN ON QUNEITRA. TACTICALLY, THIS WOULD BE SEEN AS A BALANCING EFFORT ON OUR PART. THE ISRAELIS WOULD BE HAPPY WITH THIS MOVE BECAUSE IT WOULD TEND TO REVERSE THE EFFECT OF OUR ASSOCIATION WITH THE CONSENSUS STATEMENT. TO THE ARABS, WE COULD REPRESENT OUR VOTE ON OCCUPIED TERRITORIES AS A RESPONSE NOT SO MUCH TO THE SUBSTANCE OF THE RESOLUTION BUT TO THE TACTICS THEY HAVE EMPLOYED IN BRINGING IT TO THE GENERAL ASSEMBLY IMMEDIATELY AFTER
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THE SECURITY COUNCIL COMPLETED ACTION ON THE SAME ISSUES. YOU WILL RECALL THAT GOVERNOR SCRANTON LAST WEEK MADE CLEAR TO AMBASSADOR MEGUID OUR UNHAPPINESS WITH THE ARAB TACTICS AND URGED THAT THE EGYPTIANS NOT PROCEED WITH SUCH A RESOLUTION.

WE STRONGLY URGE THAT WE NOT VOTE AGAINST THE QUNEITRA RESOLUTION. SYRIA ATTACHES CONSIDERABLE IMPORTANCE TO IT. PRESIDENT ASAD WOULD BE LIKELY TO SEE OUR OPPOSITION AS CONDONING THE ISRAELI DESTRUCTION OF QUNEITRA. MOREOVER, THE ISRAELIS DO NOT EXPECT IT.

4. RECOMMENDATIONS:

A. THAT YOU APPROVE OPTION A, ABSTENTION ON BOTH RESOLUTIONS (NEA SUPPORTS).

APPROVE

DISAPPROVE

B. ALTERNATIVELY, THAT YOU APPROVE A NEGATIVE VOTE ON THE OCCUPIED TERRITORIES RESOLUTION AND AN ABSTENTION ON THE QUNEITRA RESOLUTION (IO SUPPORTS).

APPROVE

DISAPPROVE

C. ALTERNATIVELY, THAT WE VOTE NO ON BOTH RESOLUTIONS.

APPROVE

DISAPPROVE

D. THAT YOU APPROVE THE STATEMENT ATTACHED FOR USE IN EXPLANATION OF VOTE. IT WAS DRAFTED IN ANTICIPATION OF AN ABSTENTION ON BOTH RESOLUTIONS. IT WOULD BE MODIFIED ACCORDINGLY SHOULD YOU DECIDE
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THAT WE VOTE AGAINST THE OCCUPIED TERRITORIES RESOLUTION.

APPROVE

DISAPPROVE

5. ATTACHMENT:

DRAFT STATEMENT

DRAFT STATEMENT IN EXPLANATION OF VOTE

BEGIN TEXT:

THE UNITED STATES HAS ABSTAINED ON RESOLUTION L.9 WHICH DEALS WITH THE QUESTION OF ISRAELI CIVILIAN SETTLEMENTS IN THE OCCUPIED ARAB TERRITORIES. THE VIEWS OF MY GOVERNMENT ON THIS MATTER HAVE BEEN SET FORTH IN CONSIDERABLE DETAIL ON MANY PREVIOUS OCCASIONS, MOST RECENTLY IN THE SECURITY COUNCIL ON NOVEMBER 11. WE DEMUR, IN PARTICULAR, ON ONE

VITAL POINT IN THIS RESOLUTION, AND THAT IS THE DEMAND THAT ISRAEL RESCIND MEASURES TAKEN IN ALL THE OCCUPIED TERRITORIES. WE CONSIDER THIS SWEEPING INJUNCTION TO BE EXCESSIVE AND OUT OF PLACE IN ANY CONTEXT WHICH DOES NOT INCLUDE ALL ASPECTS OF A JUST AND LASTING PEACE IN THE AREA.

OUR ABSTENTION IS INTENDED TO UNDERLINE THAT WE TAKE STRONG EXCEPTION TO THE MANNER IN WHICH THIS RESOLUTION CAME BEFORE THIS COMMITTEE. THIS RESOLUTION SIMPLY TAKES A PORTION OF THE RECENT SECURITY COUNCIL CONSENSUS STATEMENT AND ADDS TO IT AN ELEMENT WHICH WAS REMOVED IN THE DEVELOPMENT OF THE CONSENSUS. ITS SPONSORS THUS ASK THE ASSEMBLY TO REINTERPRET OR EXPAND ON THE COUNCIL'S STATEMENT. BEYOND THIS, HAVING JOINED IN A CONSENSUS STATEMENT WHICH EMERGED FROM DELIBERATIONS IN THE SECURITY COUNCIL, WE DO NOT -- AND WILL NOT -- FEEL OBLIGED AUTOMATICALLY TO SUPPORT SIMILAR EFFORTS ELSEWHERE, ESPECIALLY IN
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ANOTHER CONTEXT, OR FORUM, OR WHEN THE ITEM UNDER CONSIDERATION IS DIFFERENT OR HAS A DISTINCTIVE HISTORY AND PURPOSE.

WITH ALL DUE RESPECT, WE MUST OBSERVE THAT UNITED NATIONS DELIBERATIONS ARE NOT A GAME IN WHICH ONE SIDE GAINS VICTORIES BY RUNNING UP TALLIES OF CONDEMNATIONS OF THE OTHER. THE UNITED STATES FOR ITS PART WILL APPROACH DEBATES ON THE MIDDLE EAST WITH ONE PRINCIPAL CRITERION IN MIND: WILL THIS DEBATE OR THIS RESOLUTION CONTRIBUTE TO OVERALL EFFORTS TO ADVANCE THE CAUSE OF PEACE IN THE AREA? WE DO NOT BELIEVE THE PRESENT RESOLUTION PASSES THAT TEST.

FINALLY, MR. CHAIRMAN, I WISH TO EXPLAIN OUR ABSTENTION ON THE RESOLUTION L. 12 WHICH DEALS WITH QUNEITRA. WE HAVE PREVIOUSLY STATED OUR VIEW WITH RESPECT TO THE SERIOUSNESS OF THE ALLEGATIONS UNDER CONSIDERATION. IN OUR VIEW, HOWEVER, THE ISSUES INVOLVED IN THE WHOLE QUESTION OF COMPENSATION ARE PROPERLY A MATTER FOR THE NEGOTIATION OF A SETTLEMENT BETWEEN THE PARTIES, AND WE DO NOT BELIEVE THEY SHOULD BE PREJUDGED BY THIS COMMITTEE. FOR THIS REASON WE HAVE NOT BEEN ABLE TO SUPPORT THE RESOLUTION.

END TEXT.

6. DRAFTED BY: IO/UNP:GBHELMAN; CLEARED BY:IO: LEWIS
AND NEA: AATHERTON, S: HCOLLUMS
APPROVED: P. HABIB

ROBINSON

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